THE HON'BLE SMT JUSTICE T. MEENA KUMARI

AND

THE HON'BLE SRI JUSTICE K.C. BHANU

W.P.No.24446 of 2005

Date: 21.11.2005

Between:

Nayaneni Pitchaiah Ramachandra Reddy

…. Petitioner

and

The Station House Officer, Siddhavatam Police Station, Kadapa district & another.

….. Respondents.

THE HON'BLE SMT JUSTICE T. MEENA KUMARI

AND

THE HON'BLE SRI JUSTICE K.C. BHANU

W.P.No.24446 of 2005

ORDER: *(per the Hon'ble Smt. Justice T. Meena Kumari)*

This is a taken up case on the Telegram, dated 11.11.2005, given by the petitioner seeking a direction to the respondents to produce the alleged detenu,

viz. Gangadhar, who was forcibly taken away by the S.I. of Police, Siddhavatam Police station, Kadapa district, on 09.11.2005 from the compound of the Court of the Judicial Magistrate of First Class, Siddhavatam and to set him at liberty.

The first respondent has filed the counter-affidavit denying the allegations in the Telegram. It is specifically mentioned in paragraph 4 of the counter that he made enquiries in Venkatayapalle village and came to know that the alleged detenu is moving freely in the village and attending to his day-to-day work and to that effect the Panchayat secretary also issued a certificate.

It is submitted by the leaned Additional Advocate General across the Bar that the alleged detenu is moving freely in the village and he was not apprehended by the police at any time, therefore the question of detaining the alleged detenu does not arise.

Therefore, in view of the submission made by the learned Additional Advocate General and in view of the averments made in the counter to the effect that the alleged detenu is moving freely in the village, We are of the view that no further orders are necessary in this writ petition and accordingly, the same is liable to be dismissed.

The writ petition is, therefore, dismissed.

(T. MEENA KUMARI.J)

(K.C. BHANU.J)

Date: 21.11.2005

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